IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE MR. JUSTICE C.V.RAMULU

WRIT PETITION NO : 11898 of 2004

Between:

Gunda bhiksham, S/o.Ramaiah,
R/o.Kandarbode, Mahabubabad, Warangal Dist.

..... PETITIONER

AND

1 Syndicate Bank, Anumangal Branch, Mahabubabad Mandal,Warangal Dist.
2 Smt.Gunda Leela, W/o.Gunda Biksham, Major,
R/o.H.No.6-2-49, Kankarbode, Mahabubabad,

Warangal Dist.
3 Smt.K.Sujatha, W/o.Vasudev.
R/o.H.No.6-2-49, Kankarbode, Mahabubnagar,

Warangal Dist.
4 Perla Raghavaiah, S/o.Papaiah,
R/o.V.S.Laxmipuram, Via., Mahabubabad, Warangal Dist.

5 Sri Renukuntla Anjaneyulu, S/o.Veeraiaha,
R/o.H.No.6-3-119, Mahabubnagar, Warangal Dist.
6 Sri Ch.Prabhakar, S/o.Venkataramaiah,
C/o.Sandeep Electric Works, Mahabubabad,

Warangal Dist.

(Respondents 2 to 6 are not necessary parties)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction, more particularly one in the nature of writ of mandamus declaring the set aside order in M.A.No. 62 of 2003 in O.A.No852 of 2001 dated 23-12-2003 of the Debts Recovery Tribunal at Hyderabad, as arbitrary, illegal and violative of principles of Natural Justice.

Counsel for the Petitioner:MISS.PADMA SHARANAPPA, SC.

Counsel for the Respondent No.1: MR.A.KRISHNAM RAJU.

The Couurt at the admission stage made the following:

ORAL ORDER:

(Per Hon'ble The Chief Justice)

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1. Against the order impugned in the writ petition, there is statutory remedy available to the petitioner and in view of the said statutory remedy, we do not like to invoke jurisdiction under Article 226 of the Constitution of India.

2. With leave and liberty granted to the petitioner, writ petition is dismissed. No costs.

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DEVINDER GUPTA. C.J.,

_____

C.V. RAMULU. J.,

Dated: 20.07.2004.

VRK.

To

1. The Syndicate Bank, Anumangal Branch, Mahabubabad Mandal, Warangal District.

2. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE C.V. RAMULU.

W.P.NO. 11898 OF 2004.

(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 20.07.2004.